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15 UNITED STATES DISTRICT COURT
16 NORTHERN DISTRICT OF CALIFORNIA
17 OAKLAND DIVISION
18

19 DREW KLAUSNER;

20 Plaintiff,

21 v.
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23 INDUSTRIAL LIGHT AND MAGIC, a
division of LUCASFILM ENTERTAINMENT
24 COMPANY LTD. and DOES 1 through 25,
inclusive,

25 Defendants.
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Case No. CV 09-03502-CW

**STIPULATED REQUEST FOR ORDER
CHANGING DEADLINE TO COMPLETE
FACT DISCOVERY & ORDER;
DECLARATION OF NAKI M. IRVIN**

[Fed. R. Civ. Proc. 29; Civ. L.R. 6-2]

Action Filed: July 30, 2009
Trial Date: April 11, 2011



STIPULATION OF THE PARTIES

WHEREAS, pursuant to the Court's Case Management Order dated December 1, 2009 (docket no. 21), the deadline to complete fact discovery in this case is currently June 18, 2010;

WHEREAS, the trial of this action is not scheduled to begin until April 11, 2011;

WHEREAS, the parties desire to depose additional fact witnesses and extend the time to complete fact discovery;

WHEREAS, Defendant's counsel is in trial in June 2010;

WHEREAS, the only prior time modification in this case has been an extension of the expert discovery deadlines, and there has been no previous extension of the time to complete fact discovery;

WHEREAS, continuing the deadline to complete fact discovery would not delay the trial date or otherwise affect the schedule for this case;

THEREFORE, pursuant to Federal Rule of Civil Procedure 29 and Civil Local Rule 6-2, the parties to this action, by and through their counsel of record, do HEREBY STIPULATE AND REQUEST THE COURT TO ORDER that the deadline to complete fact discovery is extended from June 18, 2010 to July 31, 2010.

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1 IT IS SO STIPULATED.

2 DATED: May 28, 2010

MARGOLIS & TISMAN LLP

3 By: /s/ Naki M. Irvin
4 NAKI M. IRVIN

5 Attorneys for Defendant
6 INDUSTRIAL LIGHT AND MAGIC, a
7 division of LUCASFILM ENTERTAINMENT
8 COMPANY LTD.

9 DATED: May 28, 2010

PIERCE & SHEARER LLP


10 By: /s/ Stacy North
11 STACY NORTH
12 Attorneys for Plaintiff
13 DREW KLAUSNER

14 **ORDER**

15 PURSUANT TO STIPULATION, IT IS SO ORDERED.

16 The deadline to complete fact discovery is extended from June 18, 2010 to July 31, 2010.

17 DATED: 6/1/2010

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19 HON. CLAUDIA WILKEN
20 United States District Court Judge
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DECLARATION OF NAKI M. IRVIN

I, Naki M. Irvin, declare as follows:

1. I have personal knowledge of the facts set forth below.

1. I am a partner with Margolis & Tisman LLP, which is counsel of record in this action for Defendant Industrial Light & Magic, a division of Lucasfilm Entertainment Company Ltd. ("Defendant"). Pursuant to Civil Local Rule 6-2(a), I make this declaration to accompany the parties' stipulated request for an order changing the fact discovery deadlines in this case.

2. The reason for the requested enlargement of time is that the parties require additional time to complete fact discovery, including depositions of fact witnesses. Plaintiff noticed the depositions of four party witnesses to occur in June 2010. However, Defendant's lead counsel, Robert Lieber, and I are engaged in a jury trial for another case in June 2010. Plaintiff's counsel has agreed to reschedule the depositions to occur in July 2010.

3. The expert discovery deadlines were continued by the Court's order dated May 27, 2010. There have been no other time modifications in this case.

4. The requested time modification will not delay the trial, which is not scheduled to begin until April 11, 2010, or otherwise affect the schedule for this case.

I declare, under penalty of perjury, under the laws of the United States, that the foregoing is true and correct, and that this declaration was executed this 28th day of May, 2010, at San Francisco, California.

/s/ Naki M. Irvin
NAKI M. IRVIN